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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/675,122

09/30/2003

Jeyhan Karaoguz

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10/05/2006

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EXAMINER

MIZRAHI, DIANE D

ART UNIT

PAPER NUMBER

2165

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/675,122

Applicant(s)

KARAOGUZ ET AL.

Examiner

DIANE D. MIZRAHI

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

III. DETAILED ACTION

Claims 1-32 are presented for examination and are pending.

Regarding Applicant's drawings, Examiner is unable to read the drawings because the font size is too small and some of the drawing symbols such as Figure 5, #509 is unreadable. Therefore, the drawings submitted on September 30, 2003 and July 25, 2006 are difficult to read.

Regarding the 35 U.S.C. 101 Rejection of claims 1-23, Examiner withdraws the rejection for claims 1-32.

In response to communications filed on 7-25-06, the Claims 1-32 are pending in the application. Applicant's arguments have been reconsidered but are not deemed persuasive for the reasons set forth below.

Examiner has completed a through study of Applicant's amendment of 7-25-06.

Applicant's amendments to the above listed claims further direct the claimed invention to porting information between locations in a communication network.

Examiner asserts that Dougall et al. (Publication No. 20030093485 and Dougall hereinafter teaches Applicant's claimed invention of porting information between locations in a communication network and that Schrader et al. US Publication No. 20020166123 A1 and Schrader et al. hereinafter, teaches Applicant's newly submitted limitation cited below . (see office action below)

Claim Rejections - 35 USC 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dougall (US Publication No. 20030093485 and Dougall hereinafter) in view of Schrader et al. (U.S. Publication # 20020166123 and Schrader hereinafter).

Regarding Claim 1, 11, and 21, Dougall teaches porting information between locations in a communication network[0034], the method comprising: storing media along with meta data associated with said stored media on a storage unit coupled to a communication device at a first location; if said storage unit is transferred to a second location and coupled to a second communication device at said second location, presenting a channel guide comprising representations of said stored media on a television [0061][0069] in said second location [0129][0023]; and in response to receiving a selection via said presented channel guide[0129], displaying at least one media file corresponding to said received selection on at least one of said television and a media player in said second location[0023].

In regards to the newly submitted limitation, “based on said meta data associated with said storage media on said transferred storage unit”

Dougall does not teach the claimed, “based on said meta data associated with said storage media on said transferred storage unit”.

Schrader teaches the claimed, “based on said meta data associated with said storage media on said transferred storage unit” [0126][0127][0129].

It would have been obvious to a person of ordinary skill in the art at the time of Applicant’s invention to modify the teachings of Dougall with the teachings of Schrader to include the claimed, “based on said meta data associated with said storage media on said transferred storage unit” with the motivation to enhance television viewing experience to users in a system and ... that utilizes real time and/or other data that is linked together with broadcast television programming.[0009].

Regarding Claim 2, Dougall teaches wherein said storage unit is a media processing unit [0069].

Regarding Claim 3, Dougall teaches receiving said stored media at said first location via at least one of a wired and a wireless interface [0064, 0069, 0079].

Regarding Claim 4, Dougall teaches displaying said meta data information associated with said displayed at least one file [0029. 0097].

Regarding Claims 5-6, Dougall teaches transferring at least a portion of said stored media from said storage unit to a storage device associated with said at least one of said television and a media player in said second location [0034][0030].

Regarding Claim 7, Dougall teaches scheduling ... based on at least a portion of said stored meta data [0024,0028,0119].

Regarding Claim 8, Dougall teaches generating at least a portion of said meta data by said storage unit [0088].

Regarding Claims 9-10, 12-20 and 22-32, these claims are similar in scope to the rejected claims above and are therefore

Applicant is inaccurate for the reasons explicitly stated in the first Office Action and this final office action dated September 29, 2006. Therefore, Examiner asserts that Dougall and Schrader teaches Applicant's invention.

Examiner asserts that "every limitation positively recited in a claims was given effect in order to determine what the subject matter that the claim defines" *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970). Examiner believes that claims 1-32 are not allowable over the prior art of record cited above for reasons provided above. Therefore, Applicant's remarks are considered moot, and does not place the application in condition for allowance. Examiner asserts maintains that claims 1-32 are not allowable over the prior art of record cited in the Final Office Action dated 9-29-06).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Other Prior Art Made of Record

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office actions. Examiners advises the Applicant that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. For the use of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diane D. Mizrahi whose telephone number is 571-272-4079. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 305-3900 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to be 'D. Mizrahi', is written over a horizontal line.

Diane Mizrahi
Primary Patent Examiner
Technology Center 2100

September 29, 2006